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Paper No. 7

MAILED

MAY 12 2003

**DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600**

In re application of:)
Kenyon et al.)
Serial Number: 09/903,627)
Filed: July 13, 2001)
For: AUDIO IDENTIFICATION SYSTEM AND)
METHOD)

**DECISION ON PETITION
TO MAKE SPECIAL
BECAUSE OF INFRINGEMENT**

This is a decision on the petition filed January 2, 2003 under 37 C.F.R. § 1.102(d), to make the above-identified application special.

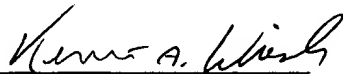
A grantable petition under 37 CFR 1.102(d) and MPEP 708.02, section II: Infringement, must be accompanied by the required fee and a statement alleging:

- (1) that there is an infringing device or product actually on the market or method in use;
- (2) that a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and
- (3) that he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the pertinent prior art. Further, Applicant must provide one copy of each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record.

The petitioner meets all of the above requirements. Accordingly, the petition is **GRANTED**.

The application will maintain its special status throughout its entire course of prosecution at the Patent and Trademark Office, including appeal, if any to the Board of Patent Appeals and Interferences, subject only to diligent prosecution by the applicant.

The application is being forwarded to the Technology Center 2600 technical staff for charging the required fee. From there, the application file will be forwarded to the examiner for expedited prosecution.


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